

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COMAU LLC,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF
MICHIGAN,

Defendant.

/

Case No.: 19-12623

Stephanie Dawkins Davis
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

**ORDER GRANTING LIMITED STAY OF THE COURT'S ORDER ON
DEFENDANT'S MOTIONS TO SEAL**

On December 1, 2021, the Court entered an Order granting in part and denying in part defendant BCBSM's five motions to seal. (ECF No. 128). On December 10, 2021, BCBSM filed a motion seeking a stay of that Order as it relates to Comau's expert report only pending resolution of its planned objection to Order unsealing the report. (ECF No. 132).

The factors that govern a stay pending appeal are: "1) the likelihood that the party seeking the stay will prevail on the merits of the appeal; 2) the likelihood that the moving party will be irreparably harmed absent a stay; 3) the prospect that others will be harmed if the court grants the stay; and 4) the public interest in granting the stay." *Travelers Prop. Cas. Co. v. R.L. Polk & Co.*, 2008 WL 3843512, at *1 (E.D. Mich. Aug. 13, 2008) (quoting *Grutter v. Bollinger*, 247 F.3d 631, 632 (6th Cir. 2001)).

BCBSM adequately addressed these factors. The motion is **GRANTED**.

The expert report may remain sealed pending resolution of BCBSM's planned objection to the relevant portion of the Order. If no objection is filed on or before December 15, 2021, the Court will lift this stay and the expert report must be filed unsealed.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: December 13, 2021

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge